

The Honorable Tiffany M. Cartwright

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA**

JUSTIN FRANKS,

Plaintiff,

v.

THE NIELSEN COMPANY (US), LLC,
GRACENOTE, INC., JOHN DOES 1-10,

Defendants.

Case No. 3:23-cv-06150-TMC

**DECLARATION OF KELLI DAWSON IN
SUPPORT OF MOTION TO COMPEL
ARBITRATION, OR IN THE ALTERNATIVE,
MOTION TO DISMISS**

1 I, Kelli Dawson, hereby make this declaration in support of Defendants The Nielsen Company
 2 (US), LLC's ("Nielsen") and Gracenote, Inc.'s ("Gracenote") Motion to Compel Arbitration, and In
 3 the Alternative, Motion to Dismiss, filed on May 3, 2024, and state as follows:

4 1. I have personal knowledge of the facts stated in this declaration, and, if called upon as
 5 a witness, could and would testify to their truth and accuracy. I am over 21 years old, and I make this
 6 declaration of my own free will and of sound mind and body. I am a citizen of the State of Florida. I
 7 have personal knowledge of the following facts.

8 2. I am Director, Enterprise HRBP at The Nielsen Company (US) LLC, which acquired
 9 Gracenote in 2017.

10 3. Gracenote is a world leader in entertainment and data services. It provides music, video,
 11 and sports metadata and automatic content recognition technologies to entertainment services and
 12 companies throughout the United States and the rest of the world.

13 4. Nielsen is also a world leader in data and media analytics, providing services to
 14 companies across the United States.

15 5. In my role as Director, Enterprise HRBP, I have access to documents kept by Gracenote
 16 and Nielsen in the regular course of business, including employee files and records.

17 6. Nielsen keeps former Gracenote employee records such as onboarding documents in
 18 their original, paper copy form.

19 7. While searching the location where Nielsen keeps the former Gracenote employee
 20 records, I located Justin Franks' employment file, which contained his employment records such as
 21 his offer letter, his job description, and for purposes relevant here, his Arbitration Agreement and his
 22 New Employee Checklist.

23 8. A true and correct copy of the Arbitration Agreement I located in Plaintiff's
 24 employment file is attached hereto as **Exhibit A**.

25 9. A true and correct copy of the New Employee Checklist I located in Plaintiff's
 26 employment file is attached hereto as **Exhibit B**.

27 I declare under the penalty of perjury under the laws of Washington and the United States that
 28 the forgoing is true and correct, and that this declaration was executed on May 3, 2024 in Oldsmar,

1 Florida.

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3 DATED this 3rd day of May, 2024.

4 Signature: *Kelli D. Dawson*

5 Email: kelli.dawson@nielsen.com

KELLI DAWSON

The Nielsen Company (US) LLC

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DECLARATION OF KELLI DAWSON






Dawson Declaration

Final Audit Report

2024-05-03

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"Dawson Declaration" History

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